



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,063	04/26/2001	Rabindranath Dutta	AUS920010005US1	8503
7590	11/21/2003			EXAMINER CHEN, CHONGSHAN
Marilyn Smith Dawkins International Business Machines Corporation Intellectual Property Law Department Internal Zip 4054, 11400 Burnet Road Austin, TX 78758			ART UNIT 2172	PAPER NUMBER DATE MAILED: 11/21/2003 7

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/843,063	DUTTA ET AL.	
	Examiner Chongshan Chen	Art Unit 2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08 September 2003.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,2,4-10,18-24,27-30 and 33-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,2,4-10,18-24,27-30 and 33-35 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) Paper No(s). <u>6</u> . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____   |

## **DETAILED ACTION**

1. This action is responsive to communications: Amendment A, filed on 8 September 2003. This action is made final. Claims 1-2, 4-10, 18-24, 27-30 and 33-35 are pending; claims 3, 11-17, 25-26 and 31-32 are canceled.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-2, 4-10, 18-24, 27-30 and 33-35 have been considered but are moot in view of the new ground(s) of rejection.

3. Applicant's arguments filed on 8 September 2003 regarding "Moore does not teach the capturing of screen images" have been fully considered but they are not persuasive. The system of Moore captures information from web browser. This information consists of objects such as web links (URL), images, ... (Moore, page 2, [0022], lines 4-8). Clearly, the system of Moore captures screen images.

4. Applicant's arguments, see page 14 last paragraph "with respect to claim 2 as amended, Moore does not teach that the control button controls the rendering of the stored screen images by either a forward succession or a backward succession", with respect to the rejection(s) of claim(s) 2 under 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hullinger et al. ("Hullinger", 6,295,092). Hullinger teaches control button controls the rendering of the stored screen images by either a forward succession or a backward succession (Hullinger, col. 12, line 60 - col. 13, line 35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include forward

succession or backward succession button in the system of Moore. This provides the user options to display images.

5. Applicant's arguments, see page 15 first paragraph "With respect to claim 27, Moore does not teach that the sequence or succession of each saved image is rendered at a rate predetermined by the user", with respect to the rejection(s) of claim(s) 27 under 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Ahmad et al. ("Ahmad", 6,005,564). Ahmad teaches a rate in which the succession of captured screen images are rendered is a user configurable rate (Ahmad, col. 2, line 60 – col. 3, line 25, col. 9, lines 10-18). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display captured images at a user configurable rate in the system of Moore so that the images can be displayed at a user desired rate. Claim 4 is rejected on the same ground.

6. Applicant's arguments, see page 15 last paragraph, with respect to the rejection(s) of claim(s) 5, 6, 19 and 20 under 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hullinger et al. ("Hullinger", 6,295,092). Hullinger teaches the length of time for capture (Hullinger, Fig. 6, col. 11, lines 25-28). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to determine the length of time for capture in the system of Moore so that the user can set a time to capture images.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-2, 5-6, 18-20, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et al. ("Moore", Pub. No.: US 2001/0039546) in view of White (Pub. No.: US 2002/0056098) and further in view of Hullinger et al. ("Hullinger", 6,295,092).

As per claim 1, Moore discloses a method for displaying, at a client, transient messages received over a network, the method comprising:

capturing, independently of a user action, at different times, at least two screen images having at least one multimedia object containing at least one transient message rendered on a display at the client (Moore, page 1, [0011], page 2, [0022], "Local database application 104 captures information ... this information consists of objects such as web links (URL), images, ...");

storing each captured screen image (Moore, page 2, [0022], "These objects are stored by local database application 104 in one or more database files ..."); and

enabling a subsequent rendering of the stored screen captured images in response to a user selection (Moore, page 1, [0011], "enables a user to easily capture and manage useful information (such as web links, advertisements, or points of interest while traveling) for later review without interruption of the current activity (such as browsing web pages, using a web search engine, viewing a media stream, or operating a mobile computing device while traveling).")

This "transparency" of operation is supported through use of a variety of modes for manual or automatic capturing of information optimized for use with these different types of activities.").

Moore does not explicitly disclose storing the images in a chronological list and displaying the images in succession. White teaches storing the images in a chronological list (White, page 4, [0054]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to store the captured images in a chronological list in the system of Moore. Because storing objects in a chronological list provides the user information about the order the objects are captured. This enables the user to easily find the most recent captured object and other captured objects.

Hullinger teaches displaying the images in succession in response to a user selection of a control button associated with the list of the stored images (Hullinger, col. 12, line 60 - col. 13, line 35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display the images in succession in response to a user selection of a control button associated with the list of the stored images in the system of Moore. Playing images in succession frees the user from the burden of selecting and playing the images one by one.

As per claim 2, Moore, White and Hullinger teach all the claimed subject matters as discussed in claim 1, and further teach the control button controls rendering the stored screen captured images by at least one of a forward succession through the list or a backward succession through the list (Hullinger, col. 12, line 60 - col. 13, line 35).

Art Unit: 2172

As per claim 5, Moore, White and Hullinger teach all the claimed subject matters as discussed in claim 1, and further teach the different times are determined by a configurable periodic interval (Hullinger, Fig. 6, col. 11, lines 25-28).

As per claim 6, Moore, White and Hullinger teach all the claimed subject matters as discussed in claim 5, and further teach the configurable periodic interval occurs for a configurable duration of time (Hullinger, col. 11, lines 25-28).

Claim 18 is rejected on grounds corresponding to the reasons given above for claim 1.

Claims 19-20 are rejected on grounds corresponding to the reasons given above for claims 5-6.

Claim 28 is rejected on grounds corresponding to the reasons given above for claim 1.

9. Claims 4, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et al. (“Moore”, Pub, No.: US 2001/0039546) in view of White (Pub. No.: US 2002/0056098) in view of Hullinger et al. (“Hullinger”, 6,295,092) and further in view of Ahmad et al. (“Ahmad”, 6,005,564).

As per claim 4, Moore, White and Hullinger teach all the claimed subject matters as discussed in claim 1, except for explicitly disclosing a rate in which the succession of captured screen images are rendered is a user configurable rate. Ahmad teaches a rate in which the succession of captured screen images are rendered is a user configurable rate (Ahmad, col. 2, line 60 – col. 3, line 25, col. 9, lines 10-18). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display captured images at a user configurable rate in the system of Moore so that the images can be displayed at a user desired rate.

Art Unit: 2172

Claim 27 is rejected on grounds corresponding to the reasons given above for claim 4.

10. Claims 7, 9, 21, 23, 29 and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et al. ("Moore", Pub, No.: US 2001/0039546) in view of White (Pub. No.: US 2002/0056098) in view of Hullinger et al. ("Hullinger", 6,295,092) and further in view of Van Name et al. ("Van Name", "Using PCs from afar with connectivity software").

As per claim 7, Moore, White and Hullinger teach all the claimed subject matters as discussed in claim 1, except for explicitly disclosing the different times are determined by a change in content. Van Name teaches the different times are determined by a change in content (Van Name, page 2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to capture images when the content is changed in the system of Moore so that the system will not capture same screen image and store duplicated copies of screen image in the database and waste storage space.

As per claim 9, Moore discloses a method for displaying, at a client, at least one transient message received over a network, the method comprising:

capturing, independently of a user action, a screen image (Moore, page 2, [0022]);  
storing each captured screen image (Moore, page 2, [0022]); and  
enabling a subsequent rendering of at least one of the stored screen capture images in response to a user selection (Moore, page 1, [0011]).

Moore does not explicitly disclose determining a change in content of at least one displayed page received over a network wherein at least one of the at least one displayed pages contains at least one transient message. Van Name teaches determining a change in content (Van Name, page 2). Therefore, it would have been obvious to one of ordinary skill in the art at the

Art Unit: 2172

time the invention was made to capture images when the content is changed in the system of Moore so that the system will not capture same screen image and store duplicated copies of screen image in the database and waste storage space.

Moore does not explicitly disclose storing the images in a chronological list and displaying the images in succession. White teaches storing the images in a chronological list (White, page 4, [0054]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to store the captured images in a chronological list in the system of Moore. Because storing objects in a chronological list provides the user information about the order the objects are captured. This enables the user to easily find the most recent captured object and other captured objects.

Hullinger teaches displaying the images in succession in response to a user selection of a control button associated with the list of the stored images (Hullinger, col. 12, line 60 - col. 13, line 35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display the images in succession in response to a user selection of a control button associated with the list of the stored images in the system of Moore. Playing images in succession frees the user from the burden of selecting and playing the images one by one.

Claim 21 is rejected on grounds corresponding to the reasons given above for claim 7.

Claim 23 is rejected on grounds corresponding to the reasons given above for claim 9.

Claim 29 is rejected on grounds corresponding to the reasons given above for claim 9.

Claims 33-35 are rejected on grounds corresponding to the reasons given above for claim

Art Unit: 2172

11. Claims 8, 10, 22, 24 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et al. ("Moore", Pub. No.: US 2001/0039546) in view of White (Pub. No.: US 2002/0056098) in view of Hullinger et al. ("Hullinger", 6,295,092) in view of Van Name et al. ("Van Name", "Using PCs from afar with connectivity software") and further in view of Lynch et al. ["Lynch", Pub. No.: US 2002/0111972].

As per claim 8, Moore, White, Hullinger and Van Name teach all the claimed subject matters as discussed in claim 7, except for explicitly disclosing the change in content is determined by utilizing a DOM model of the displayed page to determine the change of content as a triggering event to capture the screen image. Lynch teaches the change in content is determined by utilizing a DOM model of the displayed page to determine the change of content as a triggering event to capture the screen image (Lynch, page 4, [0063]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Lynch with Moore in order to use DOM to determine the change in content.

Claims 10, 22, 24 and 30 are rejected on grounds corresponding to the reasons given above for claim 8.

### *Conclusion*

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

Art Unit: 2172

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is 703-305-8319. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703)305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

November 10, 2003

  
SHAHID ALAM  
PRIMARY EXAMINER